

SIKKIM



GOVERNMENT

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**GOVERNMENT OF SIKKIM
LAW DEPARTMENT
GANGTOK**

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NOTIFICATION

The following Act which has been published in the Gazette of India, Extraordinary PART-II SECTION-1 dated New Delhi, the 1st August, 2019 is hereby re-published for general information :-

**MINISTRY OF LAW AND JUSTICE
(Legislative Department)**

New Delhi, the 1st August, 2019/Shravana 10, 1941 (Saka)

The following Act of Parliament received the assent of the President on the 1st August, 2019, and is hereby published for general information:—

THE RIGHT TO INFORMATION (AMENDMENT) ACT, 2019

No. 24 of 2019

[1st August, 2019.]

An Act to amend the Right to Information Act, 2005.

Be it enacted by Parliament in the Seventieth Year of the Republic of India as follows:—

1. (1) This Act may be called the Right to Information (Amendment) Act, 2019.

**Short title and
commencement.**

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

22 of 2005.

2. In the Right to Information Act, 2005 (hereinafter referred to as the principal Act), in section 13,—

**Amendment of
section 13.**

(a) in sub-section (1), for the words “for a term of five years from the date on which he enters upon his office”, the words “for such term as may be prescribed by the Central Government” shall be substituted;

(b) in sub-section (2), for the words “for a term of five years from the date on which he enters upon his office”, the words “for such term as may be prescribed by the Central Government” shall be substituted;

(c) for sub-section (5), the following sub-section shall be substituted, namely:—

“(5) The salaries and allowances payable to and other terms and conditions of service of the Chief Information Commissioner and the Information Commissioners shall be such as may be prescribed by the Central Government:

Provided that the salaries, allowances and other conditions of service of the Chief Information Commissioner or the Information Commissioners shall not be varied to their disadvantage after their appointment:

Provided further that the Chief Information Commissioner and the Information Commissioners appointed before the commencement of the Right to Information (Amendment) Act, 2019 shall continue to be governed by the provisions of this Act and the rules made thereunder as if the Right to Information (Amendment) Act, 2019 had not come into force.”.

**Amendment of
section 16.**

3. In section 16 of the principal Act,—

(a) in sub-section (1), for the words “for a term of five years from the date on which he enters upon his office”, the words “for such term as may be prescribed by the Central Government” shall be substituted;

(b) in sub-section (2), for the words “for a term of five years from the date on which he enters upon his office”, the words “for such term as may be prescribed by the Central Government” shall be substituted;

(c) for sub-section (5), the following sub-section shall be substituted, namely:—

“(5) The salaries and allowances payable to and other terms and conditions of service of the State Chief Information Commissioner and the State Information Commissioners shall be such as may be prescribed by the Central Government:

Provided that the salaries, allowances and other conditions of service of the State Chief Information Commissioner and the State Information Commissioners

shall not be varied to their disadvantage after their appointment:

Provided further that the State Chief Information Commissioner and the State Information Commissioners appointed before the commencement of the Right to Information (Amendment) Act, 2019 shall continue to be governed by the provisions of this Act and the rules made thereunder as if the Right to Information (Amendment) Act, 2019 had not come into force.”.

**Amendment of
section 27.**

4. In section 27 of the principal Act, in sub-section (2), after clause (c), the following clauses shall be inserted, namely:—

“(ca) the term of office of the Chief Information Commissioner and Information Commissioners under sub-sections (1) and (2) of section 13 and the State Chief Information Commissioner and State Information Commissioners under sub-sections (1) and (2) of section 16;

(cb) the salaries, allowances and other terms and conditions of service of the Chief Information Commissioner and the Information Commissioners under sub-section (5) of section 13 and the State Chief Information Commissioner and the State Information Commissioners under sub-section (5) of section 16;”.

DR. G. NARAYANA RAJU,
Secretary to the Govt. of India.

JAGAT B. RAI (SSJS)
L.R-cum-SECRETARY
LAW DEPARTMENT